REMARKS/ARGUMENTS

1. Claim Amendments

The Applicants have amended claims 1 and 33. Applicants respectfully submit that no new matter has been added. Accordingly, claims 1-35 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2. Claim Rejections – 35 U.S.C. § 101

The Examiner rejected claim 33 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 33 has been amended to direct it statutory subject matter.

3. Claim Rejections – 35 U.S.C. § 102(b)

Claims 1-3, 7-11, 13-17, 23-28 and 30-35 stand rejected under 35 U.S.C. 102(b) as being anticipated by Nevo, et al (WO 00/04729) (Nevo). The Applicants respectfully traverse the rejection. With respect to Claim 1, a time reference common to a first and a second radio access technology (RAT) is generated. Using this synchronization, it is possible for the User Equipment (UE) to start measuring on the second RAT at the same time that the radio of the first RAT is switched off. This only works if there is a common time synchronization between the RATs. Nevo does not anticipate this claim. Nevo only teaches that, while in GSM, it is possible to get the information of the "time of day", that is, the time synchronization of the CDMA signal. But Nevo does not disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization. As stated in MPEP § 2131, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).*

Claim 2 includes the feature of generating a common time event (CTE), that is, a signal that is well defined in time (T1) where both RATs can check their clocks and calculate an offset between their internal RAT clocks at that specific time. In this

manner, the time difference between the RATs can be calculated at any specific time. Using this synchronization, it is easy to calculate when a gap starts in one RAT when the command is given in the other RAT. In addition to failing to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization, Nevo does not disclose such a synchronization between the respective time bases.

Claim 3 claims the feature of generating the CTE by a hardware (HW) interrupt, i.e., a HW signal that is well defined in time. This is different from an interrupt in the transmission or reception done during a measurement interrupt. In addition to failing to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization, Nevo fails to disclose generating the CTE by a hardware (HW) interrupt.

The time schedule referred to in Claim 7 is defined in Claim 1 as a time schedule indicating a time gap during which the second radio access means is allowed to be active. This means that this time schedule is defining the time periods where the second RAT is allowed to do measurements and therefore the first RAT does not transmit or receive (as determined by the implementation). This is not the interrupt referred to in Claim 3. In Nevo, a short interruption of the CDMA MS transceiver is disclosed. In addition to failing to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization, Nevo does not teach how the interruption of the CDMA MS transceiver is synchronized with the GSM neighbor scan.

Regarding Claim 8, in addition to failing to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization, Nevo does not teach how time gaps are scheduled.

Regarding Claim 9, Nevo teaches, on page 3, lines 13-19, that the mobile signals the timing of the new base station to the current BS, but that is done in order to synchronize a handover in the base stations, not to synchronize the time bases in the UE, as in the present invention. In addition to failing to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization, Nevo fails to teach synchronization of the time bases in the UE.

Regarding Claim 10, Nevo teaches one example of the time gap as 20 ms, but that is only one gap and only one gap length. In the present invention, a gap is defined in the time schedule with the start of the gap defined in the time base which is common for both RATs. Thereby the gaps will start simultaneously for both RATs even if each of the RATs has its own time base. The foregoing deficiency of Nevo is in addition to its failure to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization.

Regarding Claim 11, Nevo claims that the length of a time gap in IS95 is 20 milliseconds. Nevo does disclose a sequence of gaps. The foregoing deficiency of Nevo is in addition to its failure to disclose or suggest that the time synchronization of the two RATs are connected to one time synchronization.

Claims 13 and 14 of the present invention claim wherein the time schedule is translated into the time format of a second RAT. This translation is performed through the knowledge of the common time base defined through the common time event (CTE). As noted above, Nevo does not teach or suggest that the time bases are synchronized, only that during the handover the synchronization is switched between CDMA and GSM/TDMA.

Regarding Claim 15, Nevo does not teach or suggest that the time bases are synchronized, only that during the handover the synchronization is switched between CDMA and GSM/TDMA.

Claims 1-3, 7-11, 13-15 depend from claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 1-3, 7-11 and 13-15 is respectfully requested.

Claim 16 claims an arrangement for the generation of a time reference common to a first and a second radio access technology (RAT). Using this synchronization, it is possible for the User Equipment (UE) to start measuring on the second RAT at the same time that the radio of the first RAT is switched off. This only works if there is a common time synchronization between the RATs.

Nevo does not anticipate Claim 16. Nevo only teaches that, while in GSM, it is possible to get the information of the "time of day", that is, the time synchronization of

the CDMA signal. But Nevo does not disclose nor suggest that the time synchronization of the two RATs are connected to one time synchronization. In other words, in Nevo, the time of the day is acquired from the TDMA base station, but that is not equal to, or can be used as, a general time reference for the TDMA system. In the present invention, each of the two RATs have their own time bases which are connected. In Nevo, the two time bases are never connected.

Regarding Claim 17, Nevo does not teach or suggest that the time bases are synchronized, only that during the handover the synchronization is switched between CDMA and GSM/TDMA. Further, the HW interrupt and the interruption of the modem is not the same event.

Regarding Claim 23, Nevo does not teach or suggest that the time bases are synchronized, only that during the handover the synchronization is switched between CDMA and GSM/TDMA.

Claims 17, 23,-28 and 30-33 depend from claim 16 and recite further limitations in combination with the novel elements of claim 16. Therefore, the allowance of claims 16-17, 23-28 and 30-33 is respectfully requested.

4. Claim Rejections – 35 U.S.C. § 103 (a)

Claims 4-6, 12, and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nevo, in view of Leprieur (U.S. Patent No. 6,959,201) (Leprieur). As noted with respect to Claims 1 and 16, from which claims 4-6, 12 and 18-22 depend, respectively, Nevo only teaches that, while in GSM, it is possible to get the information of the "time of day", that is, the time synchronization of the CDMA signal. But Nevo does not disclose nor suggest that the time synchronization of the two RATs are connected to one time synchronization. Leprieur fails to overcome the deficiency of Nevo.

Claims 4-6 and 12 depend from Claim 1 and recite further limitations in combination with the novel elements of Claim 1. Claims 18-22 depend from Claim 16 and recite further limitations in combination with the novel elements of Claim 16. Therefore, the allowance of Claims 4-6, 12 and 18-22 is respectfully requested.

5. Prior Art Not Relied Upon

In paragraph 7 on page 18 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure. None of the cited references alone disclose, or in combination, disclose or suggest, the present invention.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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